

Calendar No. 642

108TH CONGRESS
2D SESSION**H. R. 1914**

IN THE SENATE OF THE UNITED STATES

JULY 19, 2004

Received; read twice and placed on the calendar

AN ACT

To provide for the issuance of a coin to commemorate the
400th anniversary of the Jamestown settlement.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Jamestown 400th An-
5 niversary Commemorative Coin Act of 2004”.

6 **SEC. 2. FINDINGS.**

7 The Congress makes the following findings:

8 (1) The founding of the colony at Jamestown,
9 Virginia, in 1607, the first permanent English col-
10 ony in America, and the capital of Virginia for 92

1 years, has major significance in the history of the
2 United States.

3 (2) The Jamestown Settlement brought people
4 from throughout the Atlantic Basin together to form
5 a society that drew upon the strengths and charac-
6 teristics of English, European, African, and Native
7 American cultures.

8 (3) The economic, political, religious, and social
9 institutions that developed during the first 9 decades
10 of the existence of Jamestown continue to have pro-
11 found effects on the United States, particularly in
12 English common law and language, cross cultural re-
13 lationships, manufacturing, and economic structure
14 and status.

15 (4) The National Park Service, the Association
16 for the Preservation of Virginia Antiquities, and the
17 Jamestown-Yorktown Foundation of the Common-
18 wealth of Virginia collectively own and operate sig-
19 nificant resources related to the early history of
20 Jamestown.

21 (5) In 2000, Congress established the James-
22 town 400th Commemoration Commission to ensure
23 a suitable national observance of the Jamestown
24 2007 anniversary and to support and facilitate mar-
25 keting efforts for a commemorative coin, stamp, and

1 related activities for the Jamestown 2007 observ-
2 ances.

3 (6) A commemorative coin will bring national
4 and international attention to the lasting legacy of
5 Jamestown, Virginia.

6 (7) The proceeds from a surcharge on the sale
7 of such commemorative coin will assist the financing
8 of a suitable national observance in 2007 of the
9 400th anniversary of the founding of Jamestown,
10 Virginia.

11 **SEC. 2. COIN SPECIFICATIONS.**

12 (a) DENOMINATIONS.—The Secretary of the Treas-
13 ury (hereafter in this Act referred to as the “Secretary”
14 shall mint and issue the following coins:

15 (1) \$5 GOLD COINS.—Not more than 100,000 5
16 dollar coins, which shall—

17 (A) weigh 8.359 grams;

18 (B) have a diameter of 0.850 inches; and

19 (C) contain 90 percent gold and 10 percent
20 alloy.

21 (2) \$1 SILVER COINS.—Not more than 500,000
22 1 dollar coins, which shall—

23 (A) weigh 26.73 grams;

24 (B) have a diameter of 1.500 inches; and

1 (C) contain 90 percent silver and 10 per-
2 cent copper.

3 (b) LEGAL TENDER.—The coins minted under this
4 Act shall be legal tender, as provided in section 5103 of
5 title 31, United States Code.

6 (c) NUMISMATIC ITEMS.—For purposes of sections
7 5134 and 5136 of title 31, United States Code, all coins
8 minted under this Act shall be considered to be numis-
9 matic items.

10 **SEC. 3. SOURCES OF BULLION.**

11 The Secretary shall obtain gold and silver for minting
12 coins under this Act pursuant to the authority of the Sec-
13 retary under other provisions of law.

14 **SEC. 4. DESIGN OF COINS.**

15 (a) DESIGN REQUIREMENTS.—

16 (1) IN GENERAL.—The design of the coins
17 minted under this Act shall be emblematic of the
18 settlement of Jamestown, Virginia, the first perma-
19 nent English settlement in America.

20 (2) DESIGNATION AND INSCRIPTIONS.—On
21 each coin minted under this Act there shall be—

22 (A) a designation of the value of the coin;

23 (B) an inscription of the year “2007”; and

1 (C) inscriptions of the words “Liberty”,
2 “In God We Trust”, “United States of Amer-
3 ica”, and “E Pluribus Unum”.

4 (b) SELECTION.—The design for the coins minted
5 under this Act shall be—

6 (1) selected by the Secretary after consultation
7 with—

8 (A) the Jamestown 2007 Steering Com-
9 mittee, created by the Jamestown-Yorktown
10 Foundation of the Commonwealth of Virginia;

11 (B) the National Park Service; and

12 (C) the Commission of Fine Arts; and

13 (2) reviewed by the citizens advisory committee
14 established under section 5135 of title 31, United
15 States Code.

16 **SEC. 5. ISSUANCE OF COINS.**

17 (a) QUALITY OF COINS.—Coins minted under this
18 Act shall be issued in uncirculated and proof qualities.

19 (b) MINT FACILITY.—Only 1 facility of the United
20 States Mint may be used to strike any particular combina-
21 tion of denomination and quality of the coins minted under
22 this Act.

23 (c) PERIOD FOR ISSUANCE.—The Secretary may
24 issue coins minted under this Act only during the period

1 beginning on January 1, 2007, and ending on December
2 31, 2007.

3 **SEC. 6. SALE OF COINS.**

4 (a) SALE PRICE.—Notwithstanding any other provi-
5 sion of law, the coins issued under this Act shall be sold
6 by the Secretary at a price equal to the face value, plus
7 the cost of designing and issuing such coins (including
8 labor, materials, dies, use of machinery, overhead ex-
9 penses, and marketing).

10 (b) BULK SALES.—The Secretary shall make bulk
11 sales of the coins issued under this Act at a reasonable
12 discount.

13 (c) PREPAID ORDERS.—

14 (1) IN GENERAL.—The Secretary shall accept
15 prepaid orders for the coins minted under this Act
16 before the issuance of such coins.

17 (2) DISCOUNT.—Sale prices with respect to pre-
18 paid orders under paragraph (1) shall be at a rea-
19 sonable discount.

20 **SEC. 7. SURCHARGES.**

21 (a) SURCHARGE REQUIRED.—All sales shall include
22 a surcharge of \$35 per coin for the \$5 coins and \$10 per
23 coin for the \$1 coins.

24 (b) DISTRIBUTION.—Subject to section 5134(f) of
25 title 31, United States Code, all surcharges which are re-

1 ceived by the Secretary from the sale of coins issued under
2 this Act shall be promptly paid by the Secretary as follows:

3 (1) PROGRAMS TO PROMOTE UNDERSTANDING
4 OF THE LEGACIES OF JAMESTOWN.— $\frac{1}{2}$ of the sur-
5 charges shall be used to support programs to pro-
6 mote the understanding of the legacies of James-
7 town and for such purpose shall be paid to the
8 Jamestown-Yorktown Foundation of the Common-
9 wealth of Virginia.

10 (2) OTHER PURPOSES FOR SURCHARGES.—

11 (A) IN GENERAL.— $\frac{1}{2}$ of the surcharges
12 shall be used for the following purposes:

13 (i) To sustain the ongoing mission of
14 preserving Jamestown.

15 (ii) To enhance national and inter-
16 national educational programs relating to
17 Jamestown, Virginia.

18 (iii) To improve infrastructure and ar-
19 chaeological research activities relating to
20 Jamestown, Virginia.

21 (iv) To conduct other programs to
22 support the commemoration of the 400th
23 anniversary of the settlement of James-
24 town, Virginia.

1 (B) RECIPIENTS OF SURCHARGES FOR
2 SUCH OTHER PURPOSES.—The surcharges re-
3 ferred to in subparagraph (A) shall be distrib-
4 uted by the Secretary in equal shares to the fol-
5 lowing organizations for the purposes described
6 in such subparagraph:

7 (i) The Secretary of the Interior.

8 (ii) The Association for the Preserva-
9 tion of Virginia Antiquities.

10 (iii) The Jamestown-Yorktown Foun-
11 dation of the Commonwealth of Virginia.

12 (c) AUDITS.—The Jamestown-Yorktown Foundation
13 of the Commonwealth of Virginia, the Secretary of the In-
14 terior, and the Association for the Preservation of Virginia
15 Antiquities shall each be subject to the audit requirements
16 of section 5134(f)(2) of title 31, United States Code.

17 (d) LIMITATION.—Notwithstanding subsection (a),
18 no surcharge may be included with respect to the issuance
19 under this Act of any coin during a calendar year if, as
20 of the time of such issuance, the issuance of such coin
21 would result in the number of commemorative coin pro-
22 grams issued during such year to exceed the annual 2
23 commemorative coin program issuance limitation under
24 section 5112(m)(1) of title 31, United States Code (as in
25 effect on the date of the enactment of this Act). The Sec-

- 1 retary of the Treasury may issue guidance to carry out
- 2 this subsection.

Passed the House of Representatives July 14, 2004.

Attest: JEFF TRANDAHL,
Clerk.

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